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IDS - 08/28/2004

'PATENT
(5760-16400/VRTS-0502)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/706,742

Filed: November 12, 2003

Inventor(s):

Hans F. van Rietschote
Mahesh P. Saptarshi
Craig W. Hobbs

Title: Provisioning and
Snapshotting Using Copy
on Read/Write and
Transient Virtual Machine
Technology

§ Examiner: Unknown
§ Group/Art Unit: 2186
§ Atty. Dkt. No: 5760-16400

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Lawrence J. Merkel

Name of Registered Representative

 8/20/04
Signature Date

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please incorporate the document listed on the attached Form PTO-1449 into the electronic Information Disclosure statement previously filed.

Applicant requests consideration of the references listed on the attached Form PTO-1449 and/or the additional information identified below in paragraph 3.

- A copy of each required reference listed on the Form PTO-1449 is enclosed.
- The references listed on the Form PTO-1449 were previously cited in application serial no. _____ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.
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1. This Information Disclosure Statement is submitted:

- a. within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
 within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
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- b. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.
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2. It is hereby certified:

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3. Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:

U.S. Patent Application Serial No. 10/791,472 (5760-20000)

4. For each non-English language reference listed on the attached Form PTO-1449:

- reference is made to an English language translation submitted herewith, and/or
- reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or

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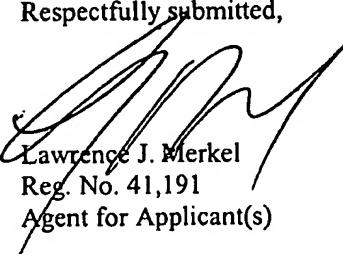
6. Also enclosed is a copy of a foreign search report citing these references.

7. The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-16400/LJM.

Respectfully submitted,



Lawrence J. Merkel
Reg. No. 41,191
Agent for Applicant(s)

MEYERTONS, HOOD, KIVLIN,
KOWERT & GOETZEL, P.C.
P. O. Box 398
Austin, Texas 78767
(512) 853-8800

Date: August 20, 2004

Form PTO-1449 (modified) O I R List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary) <small>AUG 23 2003</small>	ATTY. DKT. NO. 5760-16400 APPLICANT: van Rietschote, et al. FILING DATE: 11/12/03	SERIAL NO. 10/706,742 GROUP: 218D7
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U.S. PATENT DOCUMENTS

EXAMINER:

/Hashem Farrokh/

DATE CONSIDERED:

06/01/2006

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

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INVENTION DISCLOSURE
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10,179,147

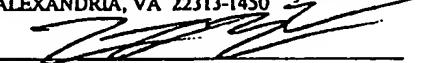
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PATENT
5760-20000
VRTS 0629

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Derrick Brown

Central Administration and Maintenance of Workstations Using Virtual Machines, Network Filesystems, and Replication

By:

Hans F. van Rietschote
Mahesh P. Saptarshi
Craig W. Hobbs

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U.S. PATENT DOCUMENTS							
EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
HF		6,370,614	4/9/02	Teoman, et al.			
		6,496,847	12/17/02	Bugnion, et al.			
		6,397,242	5/28/02	Devine, et al.			
		6,075,938	6/13/00	Bugnion, et al.			
		5,408,617	4/18/95	Yoshida			
		5,257,386	10/26/93	Saito			
		6,151,618	11/21/00	Wahbe, et al.			
		2003/0033431	2/13/03	Shinomiya			
		2001/0016879	8/23/01	Sekiguchi, et al.			
		5,944,782	8/31/99	Noble, et al.			
		5,872,931	2/16/99	Chivaluri			
		5,852,724	12/22/98	Glenn, II, et al.			
		6,029,166	2/22/00	Matalik, et al.			
		6,363,462	3/26/02	Bergsten			
		6,341,329	1/22/02	LeCrone, et al.			
		6,324,627	11/27/01	Kricheff, et al.			
		6,298,428	10/2/01	Munroe, et al.			
		6,298,390	10/2/01	Matena, et al.			
		5,621,912	4/15/97	Borruso, et al.			
		4,969,092	11/6/90	Shorter			
		4,912,628	3/27/90	Briggs			
		6,230,246	5/8/01	Lee, et al.			
		6,493,811	12/10/02	Blades, et al.			
▼		6,438,642	8/20/02	Shaath, Kamel			

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)			
HF	A1	VERITAS Software Corporation, "Comprehensive Application Performance Management with Veritas i ³ ™," 2003, 3 pages.	
	A2	VERITAS Software Corporation, "VERITAS Enterprise Server Automation," 2003, 8 pages.	
	A3	VERITAS Software Corporation, "Server Consolidation with VERITAS OpForce; Optimizing your Infrastructure Availability and Utilizations," 2003, 6 pages.	
	A4	VERITAS Software Corporation, "Server Automation with VERITAS OpForce; Enterprise Operations Automation-Enhancing Workflows, Administration, and Management," 2003, 6 pages.	
	A5	VERITAS Software Corporation, "Rapid Server Deployment with VERITAS OpForce; The Enterprise-Scale, Server Deployment Solution for Heterogeneous Environments," 2003, 6 pages.	
	A6	VERITAS Software Corporation, "High Availability Clustering in a Microsoft Windows Environment; VERITAS Cluster Server for Microsoft Windows NT" 2000, 20 pages.	
	A7	VERITAS Software Corporation, "VERITAS Cluster Server v2.0; Technical Overview," 2001, 12 pages.	
	A8	VERITAS Software Corporation, "Managing Application Availability with Application Clustering and the VERITAS Cluster Server Version 2.0," 2002, 32 pages.	
	A9	Sapuntzakis, et al., "Optimizing the Migration of Virtual Computers," Proceedings of the Fifth Symposium on Operating Systems Design and Implementation, December 2002, 14 pages.	
	A10	Helfrich, et al., "Internet Suspend/Resume," ISR Project Home Page, 2003, 4 pages.	
	A11	Kozuch, et al., "Internet Suspend/Resume," IRP-TR-02-01, April 2002, Accepted to the Fourth IEEE Workshop on Mobile Computing Systems and Applications, Callicoon, NY, June 2002, Intel Research, 9 pages.	
	A12	Kozuch, et al., "Efficient State Transfer for Internet Suspend/Resume," IRP-TR-02-03, May 2002, Intel Research, 13 pages.	
	A13	Tolia, et al., "Using Content Addressing to Transfer Virtual Machine State," IRP-TR-02-11, Summer 2002, Intel Research, 11 pages.	
	A14	Flinn, et al., "Data Staging on Untrusted Surrogates," IRP-TR-03-03, March 2003, Intel Research, To Appear in the Proceedings of the 2 nd USENIX Conference on File and Storage Technologies, San Francisco, 16 pages.	
	A15	Tolia, et al., "Opportunistic Use of Content Addressable Storage for Distributed File Systems," IRP-TR-03-02, June 2003, Intel Research, To Appear in the Proceedings of the 2003 USENIX Annual Technical Conference, San Antonio, TX, 16 pages.	
	A16	VMware, Inc., "VMware Control Center," 2003, 3 pages.	
	A17	InfoWorld, Robert McMillan, "VMware Launches VMware Control Center," 2003, 2 pages.	
	A18	VMware, Inc., "VMware Control Center: Enterprise-class Software to Manage and Control Your Virtual Machines," 2003, 2 pages.	
▼	A19	John Abbott, Enterprise Software, "VMware Heads Toward Utility Computing With New Dynamic Management Tools," July 1, 2003, 4 pages.	

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Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)		ATTY. DKT. NO. 5760-16400 APPLICANT: van Rietschote, et al. FILING DATE: 11/12/03	SERIAL NO. 10/706,742 GROUP: 2186
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)			
HF	A20	Dejan S. Milogicic, et al., "Process Migration," August 10, 1999, 49 pages.	
	A21	Xian-He Sun, et al., "A Coordinated Approach for Process Migration in Heterogeneous Environments," 1999, 12 pages.	
	A22	Kasidit Chanchio, et al., "Data Collection and Restoration for Heterogeneous Process Migration," 1997, 6 pages.	
	A23	Kasidit Chanchio, et al., "A Protocol Design of Communication State Transfer for Distributed Computing," Publication date unknown, 4 pages.	
	A24	SourceForge™, "Project: openMosix: Document Manager: Display Document," 14 pages.	
	A25	OpenMosix, "The openMosix HOWTO: Live free() or die()," May 7, 2003, 3 pages.	
	A26	OpenMosix, "openMosix Documentation Wiki - don't," May 7, 2003, 2 pages.	
	A27	Veritas, "Executive Overview," Technical Overview, pages 1-9.;	
	A28	Kinshuk Govil, et al., "Cellular Disco: Resource Management Using Virtual Clusters on Shared-Memory Multiprocessors," 17 th ACM Symposium on Operating Systems Principles (SOSP'99), Published as Operating Systems Review 34(5):154-169, December 1999, pages 154-169.	
	A29	Edouard Bugnion, et al., "Disco: Running Commodity Operating Systems on Scalable Multiprocessors," Computer Systems Laboratoy, Stanford, CA, 33 pages.	
	A30	"White Paper, GSX Server," VMware, Inc., December 2000, pages 1-9.	
	A31	"Vmware GSX Serve, The Server Consolidation Solution," VMware, Inc., 2001, 2 pages.	
	A32	"Manage Multiple Worlds., From Any Desktop," VMware, Inc., 2000, 2 pages.	
	A33	"VMware ESX Server, The Server Consolidatlon Solution for High-Performance Environments," VMware, Inc., 2001, 2 pages.	
	A34	Melinda Varian, "VM and the VM Community: Past, Present, and Future," Operating Systems, Computing and Information Technology, Princeton Univ., August 1997, pp. 1-67.	
	A35	VERITAS, "Comparison: Microsoft Logical Disk Manager and VERITAS Volume Manager for Windows," May 2001, 4 pages.	
	A36	VERITAS, " How VERITAS Volume Manager Complements Hardware RAID in Microsoft Server Environments," May 2001, pp. 1-7.	
	A37	VERITAS, "VERITAS Volume Manager for Windows, Best Practices," May 2001, pp. 1-7.	
	A38	Barrie Sosinsky, Ph.D., "The Business Value of Virtual Volume Management, In Microsoft Window NT and Windows 2000 Netowrks," VERITAS, A white paper for administrators and planners, October 2001, pp.1-12.	
	A39	VERITAS, "VERITAS Volume Manager for Windows NT," Version 27, 2001, 4 pages.	
↓	A40	"BladeFram™ System Overview," Egenera, Inc., 2001 2 pages.	
	A41	White Paper, "The Egenera™ Processing Area Network (PAN) Architecture," Egenera, Inc., 2002, 20 pages.	

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HF	A42	White Paper, "Emerging Server Architectures," Egenera, Inc., 2001, 12 pages.	
	A43	White Paper, "Improving Data Center Performance," Egenera, Inc., 2001, 19 pages.	
	A44	White Paper, "Guidelines for Effective E-Business Infrastructure Management," Egenera, Inc., 2001, 11 pages.	
	A45	White Paper, "The Pros and Cons of Server Clustering in the ASP Environment," Egenera, Inc., 2001, 10 pages.	
	A46	Position Paper, "Taking Control of The Data Center," Egenera, Inc., 2001, 4 pages.	
	A47	Position Paper, "The Linux Operating System: How Open Source Software Makes Better Hardware," Egenera, Inc., 2001, 2 pages.	
	A48	"Solution Overview," TrueSAN Networks, Inc., 2002, 7 pages.	
	A49	"Simics: A Full System Simulation Platform," Reprinted with permission from Computer, February 2002, © The Institute of Electrical and Electronics Engineering, Inc., pp. 50-58.	
	A50	"Introduction to Simics Full-System Simulator without Equal," Virtutech, July 8, 2002, 29 pages.	
	A51	"The Technology of Virtual Machines," A Connectix White Paper, Connectix Corp., 2001, 13 pages.	
	A52	"The Technology of Virtual PC," A Connectix White Paper, Connectix Corp., 2000, 12 pages.	
	A53	"About LindowsOS," Lindows.com, http://www.lindows.com/lindows_products_lindowsos.php , 2002, 2 pages.	
	A54	"Savannah: This is a Savannah Admin Documentation," Savannah, Free Software Foundation, Inc. © 2000-2002, 31 pages.	
	A55	"Virtuozzo Basics," Virtuozzo, http://www.sw-soft.com/en/products/virtuozzo/basics/ , © 1994-2002 SWsoft, printed from web on 12/13/2002, 2 pages.	
	A56	"What is Virtual Environment(VE)?," SWsoft, http://www.sw-soft/en/products/virtuozzo/we/ , © 1994-2002 SWsoft, printed from web on 12/13/2002, 2 pages.	
	A57	"Products," Netraverse, Inc, 2002, http://www.netraverse.com/products/index.php , printed from web on 12/13/2002, 1 page.	
	A58	"Netraverse Win4Lin 4.0 - Workstation Edition," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/ , printed from web on 12/13/2002, 1 page.	
	A59	"Win4Lin Desktop 4.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/benefits.php , printed from web on 12/13/2002, 1 page.	
	A60	"Win4Lin Desktop 4.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/features.php , printed from web on 12/13/2002, 2 page.	
▼	A61	"Win4Lin Desktop 4.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/requirements.php , printed from web on 12/13/2002, 2 page.	

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ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

Stylesheet Version v18.0

Title of Invention	Provisioning and Snapshotting Using Copy on Read/Write and Transient Virtual Machine Technology						
Application Number : 10/706742 Confirmation Number: 7542 First Named Applicant: Hans vanRietschote Attorney Docket Number: 5760-16400 Art Unit: 2186 Examiner: Search string: (6763440 or 6003065 or 6789103).pn							
US Patent Documents							
Note: Applicant is not required to submit a paper copy of cited US Patent Documents							
init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
HF	1	6763440	2204-07-13	Traversat et al			
HF	2	6003065	1999-12-14	Yan et al			
HF	3	6789103	2004-09-07	Kim et al			
Signature							
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/Hashem Farrokh/	06/01/2006						



ITW
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(5760-16400/VRTS0502)

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Application No.: 10/706,742

Filed: November 12, 2003

Inventor(s):

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Mahesh P. Saptarshi

Craig W. Hobbs

Title: Provisioning and
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on Read/Write and
Transient Virtual Machine
Technology

§ Examiner: Unknown
§ Group/Art Unit: 2186
§ Atty. Dkt. No: 5760-16400

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

<u>Lawrence J. Merkel</u> <small>Name of Registered Representative</small>	<u>4/11/05</u> <small>Date</small>
<small>Signature</small>	

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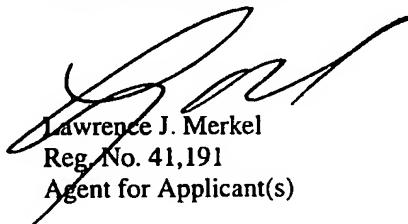
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- reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

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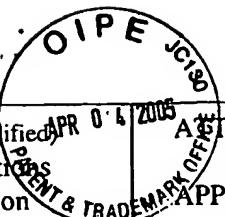
Respectfully submitted,



Lawrence J. Merkel
Reg. No. 41,191
Agent for Applicant(s)

MEYERTONS, HOOD, KIVLIN,
KOWERT & GOETZEL, P.C.
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(512) 853-8800

Date: 4/1/05



Page 1 of 1

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